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10/661,392	09/12/2003	Jeffrey George	60518-159	8437

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EXAMINER

BANTA, TRAVIS R

ART UNIT	PAPER NUMBER
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3714

MAIL DATE	DELIVERY MODE
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08/31/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,392

Applicant(s)

GEORGE ET AL.

Examiner

Travis R. Banta

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date March 23, 2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

A Request for Continued Examination was filed June 25, 2007. This action is pursuant to that request. Claims 1-64 are pending. Claims 1-2, 30-31, and 63-64 are amended. An Information Disclosure statement has been filed on March 23, 2007. Signed and initialed copies are provided herein.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites "wherein the remote device for establishing an ID number of an unassigned ID card...". There is no dependant clause to finish this sentence. A verb is lacking to say what the remote device does. Similarly, the claim continues with "the data sent to the host computer including the ID number of the unassigned ID card." Something is grammatically missing from the language presented in claim 2. Based on later claim 31, the Examiner will assume the remote device is for establishing an ID number of an unassigned ID card and so on throughout the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker (US 6,001,106) in view of Wells (US 6,846,238).

It is noted that Wells was filed on September 28, 2001 – the same day the Applicant filed the parent case of this application. As will be shown below, Wells is relied upon for disclosure of a remote device embodied in a mobile computer in a wireless player tracking system. The Examiner has diligently searched the Applicant's parent application and has not found any mention of a mobile computer or the 802.11x IEEE standard wireless connection. Thus, the Applicant is afforded his actual filing date of September 12, 2003 for the present application for disclosure of the mobile computer and 802.11x IEEE standard wireless connection. Wells is therefore qualified as prior art.

With respect to claim 1, Walker discloses a system for use with a gaming system (see column 3 lines 40-42). The game system implements a player tracking system and uses a game machine played by a player (see column 4 lines 44-53). A remote wagering terminal is equivalent to a game machine. A host computer coupled through a network uses a remote network interface coupled to a remote device to exchange data between the host and the remote

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device (see column 3 lines 64-66). A player provides sign up information entered by the user on the remote device enrolling the player in the player tracking system (see column 4 lines 44-53). When a player inserts a tracking card into the gaming machine, unique information put on the card during the player sign up is transmitted to the system to enroll the player in the system for that session of gaming). Additionally, Walker contemplates an embodiment of his invention where player identifying information is provided directly through a keypad on the remote device to enroll in a player tracking system (see column 12 lines 41-43). A host computer creates an account in the system in response to receiving the sign up information, and stores the account in a player database (see column 6 lines 8-21). The remote device is coupled to the remote network interface by a wireless connection (see column 3 lines 64-66).

Walker has failed to disclose a mobile computer carried by a user as a remote device. In a similar system, Wells discloses a gaming system using a mobile gaming computer carried by a user (see column 2 lines 58-60). One of ordinary skill in the art would recognize that extending playing opportunities beyond the casino floor to allow players to gamble remotely would be advantageous to casino operators and gaming establishments. It would therefore be obvious to one of ordinary skill in the art at the time of the invention to incorporate the mobile computer disclosed by Wells into the gaming system disclosed by Walker to allow players to gamble remotely – even outside a casino resulting in player loyalty, increased profits for the casino, and increased gaming options for players.

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With respect to claim 2, Walker discloses a remote system for establishing an ID number on an unassigned ID card, including data sent to the host computer including the ID number of the unassigned card (see column 4 line 44-53). The host computer assigns the number to a player account and stores the information in the player account (see column 6 lines 8-21).

With respect to claims 3-7, Walker discloses a wireless communication system. Walker fails to disclose an IEEE standard 802.11x wireless system. In a related device, Wells discloses the use of 802.11a, 802.11x and other wireless communication protocols. One of ordinary skill in the art would be motivated to use these wireless standards, as they are standard communication protocols well known in the art. Indeed, the skilled artisan has little choice but to use these protocols. It would therefore be obvious to one of ordinary skill in the art to use standard protocols well known for wireless communication and for that artisan to incorporate those standards into the device of walker. Standards 802.11, 802.11b, and 802.11g are known to be equivalents of the disclosed 802.11x standard (see column 4 lines 60-64). Furthermore, a web client is known to be equivalent to a disclosed web server for the purpose of wireless communication (see column 4 line 59). Web servers, are well known in the art to contain processors. A web client presents data to a user to acquire input (see column 4 lines 64-67 – input is equivalent to communications received from the server).

With respect to claims 8-10, Walker discloses a remote system including a sign up form (see figure 4). The information is filled by the player (see column 6 lines 8-21). The information is disclosed to be transferred to the network server

equivalent to a web client for interaction by the user. A processor is known to be inherent to a network server. The player signs up through the network server as is disclosed (*Id.*).

With respect to claims 11-13, Walker discloses a remote network interface for retrieving information. Information such as an address. Addresses are well known to comprise street coordinates, city, state, and zip codes. Walker fails to disclose confirming required information was entered into the program, confirming the input information was correct, and sending an error message if the information is not correct. However, one of ordinary skill in the art would recognize that it is necessary to insure sensitive information was correctly provided and entered and if that information was somehow faulty, to alert the user. It would therefore be obvious to one of ordinary skill in the art to display an error message if required information was not provided correctly to a user to allow the player to utilize the player services at a casino.

With respect to claim 14, Walker discloses player information containing a room number, and a remote interface retrieving player information from the database as a function of the room number and creating a record in the database containing player information (see column 6 lines 8-21).

Regarding claims 22 - 25, Walker discloses a web client using a plurality of servlets (see column 4 lines 60-64). Included is a login layer for identifying the user (line 62) as well as a menu layer for allowing a player to navigate and access the servlets (a touch screen). Play preferences provide an assigned type. The touch screen allows access to servlets and restricts access to certain

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preferences based on preference settings (see column 4 line 64 through column 5 line 2).

Regarding claims 26-29, Walker discloses a data including a player name, ID number, a personal identification number, and a touch screen for capturing a signature (see column 6 lines 8-21 and column 4 lines 60-64).

With respect to claim 30, Walker discloses a method for use with a gaming system (see column 3 lines 40-42). The game system implements a player tracking system and uses a game machine played by a player (see column 4 lines 44-53). A remote wagering terminal is equivalent to a game machine. A host computer coupled through a network uses a remote network interface coupled to a remote device to exchange data between the host and the remote device (see column 3 lines 64-66). A player provides sign up information entered by the user on the remote device enrolling the player in the player tracking system (see column 4 lines 44-53. When a player inserts a tracking card into the gaming machine, unique information put on the card during the player sign up is transmitted to the system to enroll the player in the system for that session of gaming). Additionally, Walker contemplates an embodiment of his invention where player identifying information is provided directly through a keypad on the remote device to enroll in a player tracking system (see column 12 lines 41-43). A host computer creates an account in the system in response to receiving the sign up information, and stores the account in a player database (see column 6 lines 8-21). The remote device is coupled to the remote network interface by a wireless connection (see column 3 lines 64-66).

Walker has failed to disclose a mobile computer carried by a user as a remote device. In a similar system, Wells discloses a gaming system using a mobile gaming computer carried by a user (see column 2 lines 58-60). One of ordinary skill in the art would recognize that extending playing opportunities beyond the casino floor to allow players to gamble remotely would be advantageous to casino operators and gaming establishments. It would therefore be obvious to one of ordinary skill in the art at the time of the invention to incorporate the mobile computer disclosed by Wells into the gaming system disclosed by Walker to allow players to gamble remotely – even outside a casino resulting in player loyalty, increased profits for the casino, and increased gaming options for players.

With respect to claim 31, Walker discloses a remote system for establishing an ID number on an unassigned ID card, including data sent to the host computer including the ID number of the unassigned card (see column 4 line 44-53). The host computer assigns the number to a player account and stores the information in the player account (see column 6 lines 8-21).

With respect to claims 32-35, Walker discloses a wireless communication system. Walker fails to disclose an IEEE standard 802.11x wireless system. In a related device, Wells discloses the use of 802.11a, 802.11x and other wireless communication protocols. One of ordinary skill in the art would be motivated to use these wireless standards, as they are standard communication protocols well known in the art. Indeed, the skilled artisan has little choice but to use these protocols. It would therefore be obvious to one of ordinary skill in the art to use

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standard protocols well known for wireless communication and for that artisan to incorporate those standards into the device of walker. Standards 802.11, 802.11b, and 802.11g are known to be equivalents of the disclosed 802.11x standard (see column 4 lines 60-64). Furthermore, a web client is known to be equivalent to a disclosed web server for the purpose of wireless communication (see column 4 line 59). Web servers, are well known in the art to contain processors. A web client presents data to a user to acquire input (see column 4 lines 64-67 – input is equivalent to communications received from the server).

With respect to claims 36-38, Walker discloses a remote system including a sign up form (see figure 4). The information is filled by the player (see column 6 lines 8-21). The information is disclosed to be transferred to the network server equivalent to a web client for interaction by the user. A processor is known to be inherent to a network server. The player signs up through the network server as is disclosed (*Id.*).

With respect to claims 39-41, Walker discloses a remote network interface for retrieving information. Information such as an address. Addresses are well known to comprise street coordinates, city, state, and zip codes. Walker fails to disclose confirming required information was entered into the program, confirming the input information was correct, and sending an error message if the information is not correct. However, one of ordinary skill in the art would recognize that it is necessary to insure sensitive information was correctly provided and entered and if that information was somehow faulty, to alert the user. It would therefore be obvious to one of ordinary skill in the art to display an

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error message if required information was not provided correctly to a user to allow the player to utilize the player services at a casino.

With respect to claim 42, Walker discloses player information containing a room number, and a remote interface retrieving player information from the database as a function of the room number and creating a record in the database containing player information (see column 6 lines 8-21).

Regarding claims 50 -53, Walker discloses a web client using a plurality of servlets (see column 4 lines 60-64). Included is a login layer for identifying the user (line 62) as well as a menu layer for allowing a player to navigate and access the servlets (a touch screen). Play preferences provide an assigned type. The touch screen allows access to servlets and restricts access to certain preferences based on preference settings (see column 4 line 64 through column 5 line 2).

Regarding claims 54-58, Walker discloses a data including a player name, ID number, a personal identification number, and a touch screen for capturing a signature (see column 6 lines 8-21 and column 4 lines 60-64).

Regarding claims 63 and 64, Walker discloses a player tracking system and method connected to a gaming machine by a network (see column 4 lines 44-53). A host computer coupled through a wireless network uses a remote network interface coupled to a remote device to exchange data between the host and the remote device (see column 3 lines 64-66, and column 4 lines 60-64). A sign up form is provided (see figure 4). The information is filled by the player on a remote network interface to the remote device (see column 6 lines 8-21). The

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host computer enrolls the player in the tracking system as a function of the data. Walker contemplates an embodiment of his invention where player identifying information is provided directly through a keypad on the remote device to enroll in a player tracking system (see column 12 lines 41-43).

Walker further discloses a web client to acquire input from the user and format the data to the user. A web client is known to be equivalent to a disclosed web server for the purpose of wireless communication (see column 4 line 59). Web servers, are well known in the art to contain processors. A web client presents data to a user to acquire input (see column 4 lines 64-67 – input is equivalent to communications received from the server).

Walker has failed to disclose a mobile computer carried by a user as a remote device having a processor. In a similar system, Wells discloses a gaming system using a mobile gaming computer carried by a user with a processor (see column 2 lines 58-60). One of ordinary skill in the art would recognize that extending playing opportunities beyond the casino floor to allow players to gamble remotely would be advantageous to casino operators and gaming establishments. It would therefore be obvious to one of ordinary skill in the art at the time of the invention to incorporate the mobile computer disclosed by Wells into the gaming system disclosed by Walker to allow players to gamble remotely – even outside a casino resulting in player loyalty, increased profits for the casino, and increased gaming options for players.

Claims 15 - 21 and 43 - 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker & Wells, as applied to claims 1 and 30, in view of Ramakrishnan (Database Management Systems. 1998, McGraw Hill. ISBN 0-07-050775-9 (Of record)).

Regarding Claims 15 - 20 and 43 - 48, Walker discloses a remote system for storing and retrieving data with a remote device coupled to the remote network interface for receiving queries from the interface, retrieving, formatting, and returning responsive data from the database to the remote device (col. 6 lines 15-21, column 4 lines 44-53, and 3 lines 64-66).

Walker does not disclose a specific type of data storage including a database consisting of tables with first data objects coupled to the database tables or a second data objects for assembling first data objects. However, Ramakrishnan teaches a database for storing data in database tables (p. 21, para. 2) with a plurality of first data objects coupled to the database tables for retrieving and storing data in the database tables (p. 22, para. 2; where relations such as data types are formed within tables), at least one second data object coupled to the first data objects for assembling multiple first data objects into a third data object (p. 21, para. 2; where a second object is a database collecting all tables of a database). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the generic network based storage device as disclosed by Walker with the specific table and

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database related storage system as taught by Ramakrishnan in order to provide a more organized and efficient method of accessing and manipulating data.

Regarding claims 21 and 49, Walker in view of Ramakrishnan teaches a remote device having a processor and a web client for interaction with a user. Walker in view of Ramakrishnan fails to disclose formatting responsive data into a HTML response for display by the web client. However, one of ordinary skill in the art would recognize HTML as a well known format to receive user input through a web client as a standard programming language used on the world wide web. It would therefore be obvious to one of ordinary skill in the art at the time of the invention to use HTML format to receive data from users to be displayed by the web client.

Claims 59-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker & Wells, as applied to claims 1 and 30, in view of Holch (US 5,674,128) of record.

Regarding Claims 59 - 62, Walker discloses a remote system where a user is identified and allowed access to a gaming environment based on an identification card (column 3 line 40-43, column 4 lines 44-53), but does not disclose a specific method of assigning a player card to a player based on a player's valid identification information. However, Holch teaches a method where the remote device includes a barcode reader or ID card reader, and allowing the user to enter the ID Card number includes reading the ID card number from an

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unassigned player ID Card using the barcode reader or ID card reader and assigning the player ID Card to the player when enrolling the player in the player tracking system (col. 5, lines. 43 - 65). Therefore, it would have been obvious to one of ordinary skill in the art to have modified the remote gaming system of Walker where a player uses an identification card created from valid identification information with the method of assigning a card to player as taught by Holch in order to create a complete gaming system where a player may be assigned a card and then use that card in a gaming environment.

Response to Arguments

Applicant's arguments with respect to claims 1-64 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Banta whose telephone number is (571) 272-1615. The examiner can normally be reached on Monday-Friday 9-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TB

/Corbett Coburn/
Primary Examiner
AU 3714